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HOUSE BILL 902

48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007

INTRODUCED BY

Henry 'Kiki' Saavedra

AN ACT

RELATING TO MOTOR VEHICLES; CLARIFYING STATE POLICE AUTHORITY
TO CLOSE STATE HIGHWAYS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 66-7-11 NMSA 1978 (being Laws 1987,
Chapter 280, Section 1) is amended to read:

"66-7-11. NEW MEXICO STATE POLICE POWER TO CLOSE CERTAIN
HIGHWAYS IN EMERGENCIES.--Notwithstanding any rule [~~regulation~~]
or agreement of the [~~state highway~~] department of
transportation, the New Mexico state police, in cases of
emergency where the condition of a state highway presents a
substantial danger to vehicular travel by reason of storm,
fire, accident, spillage of hazardous materials or other
unusual or dangerous conditions, may temporarily close such
highway to vehicular travel [~~until the New Mexico state police~~

underscored material = new
[bracketed material] = delete

underscored material = new
[bracketed material] = delete

1 ~~determines otherwise~~]; provided that if a lane, shoulder or
2 verge bordering the state highway within the right-of-way
3 boundaries is passable by motor vehicle without presenting a
4 substantial danger to vehicular travel, the state police shall
5 engage in traffic control to route traffic, in both directions,
6 around or past the emergency incident in that lane or on that
7 shoulder or verge. In no case shall the state police close a
8 state highway or a portion of that highway as a crime scene if
9 the highway or portion is passable and physically unaffected by
10 the emergency condition. The [~~state highway~~] department of
11 transportation shall be notified of the highway closure as soon
12 as practicable."

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